

**Minutes of the Grinnell City Council Meeting
Monday, June 21, 2004**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4th Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, June 21, 2004. Mayor Canfield presided.

Roll Call: PRESENT: Elliott, McNaul, Wilson, White, Worley, Witt.

PERFECTING AND APPROVAL OF AGENDA:

Moved by WHITE, second by MCNAUL, to approve the Agenda and the Consent Agenda as printed. Roll Call Vote: Ayes: White, McNaul, Wilson, Elliott, Worley, Witt. Motion carried.

CONSENT AGENDA:

Previous minutes as drafted from the Monday, June 7, 2004 Regular Session.

Approval of the renewal for Class BC Liquor License for: Casey's General Store, 312 West Street
Fareway Stores, 1020 Spring Street

Approval of a 5 day BC Liquor License for the Bowladrome for the purpose of the Sesquicentennial Beer Garden for the 4th of July Celebration.

Approval of the renewal for Class LC Liquor License for: Grinnell Country Club, 933 13th Avenue
Fraternal Order of Eagles, 616 4th Avenue
State Street Station, 909 State Street
Elks, 708 3rd Avenue

Approval of the renewal for Class LE Liquor License for: McNally's, 1021 Main Street

Approval of the Cigarette Permit applications for 7/1/04 – 6/30/05:

Fareway Stores, 1020 Spring Street	Casey's General Store, 1718 6 th Avenue
Fraternal Order of Eagles, 616 4 th Avenue	Casey's General Store, 312 West Street
Rabbit's Tavern, 616 4 th Avenue	Casey's General Store, 217 6 th Avenue
McNally's, 1021 Main Street	Kum & Go, 1002 West Street
Almost Always Open, 1031 West Street	Bowladrome, 915 State Street
Hy-Vee, 320 West Street	John and Gary's Sports Bar, 827 West Street
Varsity News Stand, 917 Broad Street	Wal-Mart, 208 West Street

Approval of the Clerk's Report.

Approval of the Treasurer's Report.

COMMUNICATIONS:

- I. PAD miscellaneous information and a letter from Dr. Dustin Arnold in regard to establishing playground equipment on Reed Street.

OLD BUSINESS:

- I. Report from Public Works & Grounds Committee.
 - Elliott reviewed the contract proposed by Veenstra and Kimm for the final clarifier trough replacement project. This project will repair equipment that aids in the treatment of waste water. The funds needed to complete the project are available in the budget.

Moved by ELLIOTT, second by MCNAUL, to approve contract the contract proposed by Veenstra and Kimm for the final clarifier trough replacement project not to exceed \$7,600.00. Roll Call Vote: Ayes: Elliott, McNaul, Witt, Worley, Wilson, White. Motion carried.

- Elliott explained the recent notification of additional grant funding available from the Iowa Department of Transportation that could be used to help offset the cost of the access taxiway to the new t-hanger. While the t-hanger project is still pending, the committee felt it was important to pursue the funding to have it available when

future construction takes place. She clarified that that this is not a proposal to implement construction, but simply a request for further funding from the state.

Moved by ELLIOTT, second by WITT to approve and adopt Resolution 2680: "A RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION FOR IOWA AIRPORT IMPROVEMENT PROGRAM FUNDING AND CERTIFYING ELIGIBILITY REQUIREMENTS." Roll Call Vote: Ayes: Elliott, Witt, McNaul, White, Wilson, Worley. Motion carried.

- Elliott reviewed the agreement proposed by the Iowa Department of Transportation for the federal-aid surface transportation program (STP) project. This funding will be used for the Central Business District Project.

Moved by ELLIOTT, second by WHITE to approve the agreement proposed by the Iowa Department of Transportation for the federal-aid surface transportation program (STP) project. Roll Call Vote: Ayes: Elliott, White, Wilson, Worley, McNaul, Witt. Motion carried.

- Elliott reviewed the application to perform work within state highway right of way submitted by Poweshiek Mutual Insurance for the purpose of widening a driveway.

Moved by ELLIOTT, second by WITT to approve the application as submitted. Roll Call Vote: Ayes: Elliott, Witt, Worley, Wilson, McNaul, White. Motion carried.

- Recommendation in regard to the request from the Downtown Retail Community to close the 900 block of Main Street for the purpose of having a benefit and cookout for downtown business owner Garrett Roche who recently lost his home due to a fire. The committee reviewed the request and wanted to insure the support of the business owners as well as maintaining traffic flow.

Moved by ELLIOTT, second by WHITE, to barricade the west half of the south half of the block south of the Strand Theater from 12:00 until 7:30 pm. The east side will remain open for through traffic. Roll Call Vote: Ayes: Elliott, White, Witt, McNaul, Wilson, Worley. Motion carried.

- Elliott reviewed the request from the Grinnell Chamber of Commerce in regard to the city sponsoring "Ag Appreciation Day" and extending its liability coverage to the event, waive fees associated with the use of the parks, provide picnic tables, dumpsters and bleachers, to close the south side of 4th Avenue from the back entry of the Memorial Building to Park Street from 8:00 am – 12:00 pm, to close the parking lot in front of City Hall from 12:00 pm to 5:00 pm and to waive fees for use of the Veteran's Memorial Building. (All of the above described events will take place on Thursday, September 9, 2004.)

Moved by ELLIOTT, second by MCNAUL, to approve the request as submitted. Roll Call Vote: Ayes: Elliott, McNaul, White, Witt, Worley, Wilson. Motion carried.

- Elliott reviewed the annual request from St. Mary's Catholic Church Parish Council to close Broad Street between 5th Avenue and approximately 150 feet south of 6th Avenue on Saturday, June 26, 2004 from 3:00 pm to 10:00 pm for the purpose of having their annual picnic.

Moved by ELLIOTT, second by MCNAUL to approve the request as submitted. Roll Call Vote: Ayes: Elliott, McNaul, Worley, Wilson, Witt. Abstain: White due conflict of interest as he serves as a church trustee. Motion carried.

- Elliott informed the council of the request submitted by Dr. Dustin Arnold to conduct an appreciation supper and other events in Lyons Park on Sunday, June 27, 2004 during the Iowa Chapter of the National Multiple Sclerosis Society 150 mile bike ride.

Moved by ELLIOTT, second by WHITE, to approve the request as submitted. Roll Call Vote: Ayes: Elliott, White, Wilson, McNaul, Worley, Witt. Motion carried.

- Elliott reviewed the request submitted by the Grinnell Golf and Country Club to conduct their annual 4th of July parade.

Moved by ELLIOTT, second by WHITE, to approve the request as submitted. Roll Call Vote: Ayes: Elliott, White, Witt, Worley, Wilson, McNaul. Motion carried.

- Elliott updated in regard to the ongoing progress of the Commercial Solid Waste Study. She noted the ordinance and resolution implementing the new system have been drafted and literature is being created to explain all of the changes. Once those items are prepared, all items will be presented to the city council.
- Elliott discussed the contract proposed by Foth and VanDyke for the compost site development. Elliott said the agreement is still under negotiation and hopes that it will be available for council action soon. The new site will not be available until late this fall.
- Elliott discussed the amendment to the Public Works and Grounds Agenda to discuss with Ms. Linda Smoley - Grinnell-Newburg High School Principle - the school's request for use of parking lot at municipal swimming pool during the construction of the new auditorium and gymnasium. Elliott explained that the lot had been closed to the use of the students during previous agreements with the school due to extensive problems cause by the students.

Moved by ELLIOTT , second by WITT to lease the parking lot at the swimming pool to the Grinnell Newburg School District for the 2004-2005 school year for \$25.00 per space, with the number of spaced to be determined by city staff, and to require the school to manage the lot, paint the lines and numbers of the spaces and that they provide snow removal and parking enforcement.

Wilson questioned how the city can lease a public parking lot to the school. Elliott felt that implementing the fees gives the school a stake to watch and maintain the lot. Charging for the spaces also randomizes the parking reducing the likelihood of the lot becoming territorialized. Elliott noted that this arrangement is temporary and that if problems do arise, the city can end the agreement. Wilson questioned if the lease will make the lot part of school grounds. Elliot felt the city needed to research the provision,

Roll Call Vote: Ayes: Elliott, Witt, Wilson, Worley, McNaul, White. Motion carried.

II. Report from the Finance Committee.

- White reviewed the proposed (EDSA) loan agreement between the city of Grinnell and Latimer Associates.

Moved by WHITE, second by ELLIOTT, to approve the EDSA loan agreement between the city of Grinnell and Latimer Associates. Roll Call Vote: Ayes: White, Elliott, Witt, McNaul, Wilson, Worley. Motion carried.

- Recommendation in regard to the Campbell Fund Requests.

The requests were approved as presented.

White briefly noted the inquiry into the ongoing discussion for the construction of a dog park.

III. Report from the Public Safety Committee.

- Wilson discussed the final review of the proposed animal control ordinance. The new ordinance changes the licensing fees, requires cats to be licensed and limits the number of cats and dogs that can be housed at one residence. Behrens provided the background of why the proposed ordinance was created. Behrens noted the committee has reviewed the ordinance several times. Wilson discussed that the limit for the number of dogs and cats applies to animal six months and older, and does not apply to existing pet owners who have more than three cats or dogs at the time the ordinance is adopted. He continued by explaining if the owner gets rid of one of the animals, they would not be able to replace it. McNaul questioned how the licenses will be issued and the cost. Elliott questioned a reference to requiring local veterinarians to help police the ordinance. Behrens said there is no penalty for the veterinarian not notifying the city if an animal that they are caring is not currently licensed. Elliott did not have a problem with residences having more that three cats or three dogs. She felt that other provisions within the ordinance that address the nuisance problems with animals and that instituting this provision could be a detriment for local of group citizens who are attempting to establish a humane society.

Witt suggested eliminating the limit within the ordinance and increasing the license fees for individuals who have animals that number in excess of the limitation. The city could then donate the additional funding to the new humane society. Worley agreed with Elliott that the ordinance as a whole is positive with the exception of the limitation. He questioned at what point the government should push the issue. He did not see that the city had a compelling need to limit the number of animals at a property. Wilson said that the committee reviewed the very points brought forward by the council. He noted that the previous ordinance has the rules in regard to annoying dogs and felt this ordinance addresses the issues the city is missing. He stated this ordinance was moved out of committee on a 2 to 1 vote.

Moved by WILSON, second by WHITE to introduce and conduct the first reading of Ordinance No. 1232: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 3 (ANIMALS.)" Roll Call Vote: Ayes: Wilson, White. Nays: McNaul, Elliott, Worley, Witt. Motion failed. This item will return to committee for further review.

- Wilson updated the council on the process for hiring a new fire chief. He reminded everyone that the Civil Service Commission will be testing and interviewing the candidates on Friday, June 25, 2004. On Saturday, June 26, 2004, the city council will interview the candidates. It is hoped that a job offer will be made on Saturday. Wilson clarified that this is a civil service position and the process that the city has to follow to fill position is stipulated by state code. Worley commented a question that he has been receiving from citizens as to why the city does not hire local people for various positions. He said that the council has very carefully chosen to hire who they feel is the best person for the position and that the council has no prejudice against hiring from within the community if they feel that person can provide the best service possible. Elliott added that when the position is advertised, the city must consider all applicants that apply and that the civil service process adds further implication through the law of hiring the best person.
- Wilson introduced the proposal of construction of a tower on the Public Safety Building Property. He discussed that Brooklyn Mutual Telephone Company (BMT) has requested leasing the property at the Public Safety Building where the city tower currently exists for the construction of a new 150' cell tower. The benefit the city would receive is free use of the tower to improve local emergency communication capabilities. The BMT tower located south of the interstate will eventually need to be removed for improvement of the glide path for aircraft landing at the Grinnell Regional Airport. In addition, the city had been considering construction of its own tower due to the necessity of improving communication for the fire and police departments. The tower would have been similar in size and was likely to cost near \$150,000.00. One concern expressed by the committee was how the construction of the new tower would complicate any future construction of a new Public Safety Building on that site. The committee will have further discussion with Duane Neff – Building and Planning Director to review how the city has handled other projects similar in nature in addition to referring the item to the Planning Committee for their review. Behrens noted that item will be added to the Planning Agenda already scheduled for Tuesday, June 22, 2004 at 7:00 p.m.
- Wilson discussed a request for stop signs for stop signs at all uncontrolled intersection. The committee will not take any action on this request. Wilson noted the number of unmarked intersections in town currently and the requirements that need to be met to merit the placement of signs. As requests are made for specific intersections the committee will review them.

NEW BUSINESS:

Mr. Jan Anderson – Water Resources Director – updated the City Council on the progress of the Arbor Lake Project and the water shed project. He reminded the council that the project includes the construction of riffle pools and that the contractor will complete the construction during the first part of July. Once the construction is completed, native grasses will be planted on the banks for stabilization. The city will then construct two storm water receptor units. These units will assist in the removal of silt, plastics and other debris from storm water prior to it getting to the lake.

Further, a small wetlands project has been proposed for the west side of the lake, east of where the park joins Russ Greer's property. This project is being designed by the Iowa Rural Water office in Malcolm. Behrens noted the intention of the wetland is to slow the speed of the stream water down. The land will slow the stream water down, retain the water for a period of time and let the solids settle out. Behrens stated there has been development of a

wetland involved in the project from the beginning, its location has changed location several times.

Elliott hoped that the project will completed within the year. Anderson noted that delays caused by weather have controlled the construction season. Behrens stated that the city was also delayed by nine months due to a delay in regard to specifications from the USDA. The DNR is stipulating this project must be completed by September 30, 2004.

2ND READING OF THE ORDINANCES:

Moved by WORLEY, second by WHITE, to conduct the second reading of Ordinance No. 1233: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 13, SECTION 13-506 (Four way intersections,) Section 13-507 (Additional stop intersections,) and 13-507.1 (Yield intersections.)" Roll Call Vote: Ayes: Worley, White, Witt, Wilson McNaul, Elliott. Motion carried.

Moved by WORLEY, second by ELLIOTT to conduct the second reading of Ordinance No. 1234: "AN ORDINANCE AMENDING THE "MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY AMENDING PROVISIONS PERTAINING TO CHAPTER 17, SECTION 17-87 (RENAISSANCE – Limit of Article.)" Roll Call Vote: Ayes: Worley, Elliott, Wilson, McNaul, White, Witt. Motion carried.

APPROVAL AND ADOPTION OF THE RESOLUTIONS:

Moved by MCNAUL, second by WHITE, to approve and adopt Resolution 2682: "A RESOLUTION OF SUPPORT FOR THE IOWA TRANSPORTATION MUSEUM." Roll Call Vote: Ayes: McNaul, White, Witt, Worley, Elliott, Wilson. Motion carried.

INQUIRIES: None.

ADJOURN:

Moved by MCNAUL, second by WHITE, to adjourn this regular session of the Grinnell City Council. Vote: (6) ayes, motion carried. Adjournment: 8:05 p.m.

ATTEST:

Gordon Canfield, Mayor

Cassandra R. Hage, City Clerk